REMARKS

Reconsideration and allowance in view of the forgoing amendment and the following remarks are respectfully requested. Claims 1 and 18 are amended without prejudice or disclaimer.

Rejection of Claims 1, 3, 4, 6 and 18 Under 35 U.S.C. §103(a)

The Office Action rejects claims 1, 3, 4, 6 and 18 under 35 U.S.C. §103(a) as being unpatentable over Cobbley et al. (U.S. Patent No. 5,818,510) ("Cobbley et al.") in view of Hooks et al. (U.S. Patent No. 6,169,542) ("Hooks et al.") and further in view of Dimitrova (U.S. Patent No. 6,363,380) ("Dimitrova"). Applicants have amended claim 1, not for patentability, but to further clarify the aspect of "synchronizing," and in an effort to expedite prosecution. Applicants assert that Cobbley et al. do not teach synchronizing recognized speech with captioning to extract stories.

The Office Action asserts that Cobbley et al. teach a module configured to identify segments within classified program content based on synchronizing recognized speech from the speaker voice characteristics in each identified segment with captioning to extract stories. *See* outstanding Office Action, pg 3. Applicants respectfully disagree and assert that Cobbley et al. do not teach synchronizing, but rather teach two embodiments. The first embodiment utilizes closed captioning, and the second embodiment utilizes speech recognition. Support for Applicants assertion can be found in Cobbley et al., col. 4, lines 42-50, which state:

> Additional methods may also be utilized to obtain the indexing information. For example, the indexing information may be generated by scanning closed caption information. Alternatively, the indexing information may be generated on the receiving end by scanning the received audio data utilizing a speech recognition process..."

In other words, Cobbley et al. teach that indexing information is generated in one of two ways: (1) by scanning closed caption information, or alternatively, (2) by using speech recognition. Further discussions by Cobbley et al. support this point of view that one or the other

(but not both) may be used to generate index information. *See* Cobbley et al., col. 5 line 56- col. 6, line 21; col. 9, line 50-col. 10, line 10; and col. 15, lines 24-64. This is not, as the Office Action states, synchronizing recognized speech with captioning, but rather a teaching of different methods to generate indexing data.

An assertion that the combination of the two embodiments is "inherent" would be clearly erroneous because Cobbley et al. repeatedly teach scanning closed caption information or alternatively using speech recognition. Cobbley et al. simply do not contemplate synchronizing recognized speech with captioning. Nevertheless, if "synchronizing" were deemed inherent, Applicants submit that Cobbley et al. also fails to teach the use of word timestamps, and aligning the captioning with the recognized speech based on the word timestamps as disclosed in amended claim 1.

Applicants now turn to claim 1, which recites, in pertinent part, "...synchronizing recognized speech in each identified segment with captioning..." Applicants assert that Cobbley et al. do not teach this limitation for the reasons described above. However, Applicants have amended claim 1 to further clarify "synchronizing." This amendment is not new matter and support for the amendment can be found in the specification on page 8, lines 1-20. Claim 1, as amended, now includes the limitations of recognizing speech in the media collection, generating word timestamps based on the recognized speech, and aligning the captioning with the recognized speech based on the word timestamps. Applicants assert that the combination of Cobbley et al. with either of Hooks et al. or Dimitrova (while not acquiescing to the propriety of the combination) do not teach each limitation of amended claim 1.

Therefore, Applicants request the withdrawal of the rejection under 35 U.S.C. § 103(a) of claim 1. Applicants made a similar amendment to claim 18, and as such, Applicants assert that the above remarks apply generally to claim 18 and, therefore, likewise request the withdrawal of

the rejection under 35 U.S.C. § 103(a) of claim 18. Inasmuch as claims 3, 4, and 6 depend from claim 1, Applicants also request the withdrawal of the rejection under 35 U.S.C. § 103(a) of these claims.

Rejection of Claims 5 and 7 Under 35 U.S.C. §103(a)

The Office Action rejects claims 5 and 7 under 35 U.S.C. §103(a) as being unpatentable over Cobbley et al. in view of Hooks et al. and further in view of Dimitrova and further in view of Hoffert et al. (U.S. Patent No. 5,983,176) ("Hoffert et al."). Applicants respectfully traverse this rejection and submit that inasmuch as the basis of this rejection is the combination of Cobbley et al. with Hooks, and based on the analysis set forth above, that claims 5 and 7 are patentable and in condition for allowance. Applicants also do not acquiesce that it would be obvious to combine Hoffert et al. with any of the other references.

CONCLUSION

Having addressed all rejections and objections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

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By: _____

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